

★ DEC 21 2011

BROOKLYN OFFICE

C/M

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
SANTOS RIVERA,

Plaintiff,

-against-

ALL THE JOHN DOES THAT WORK AT
BROOKLYN SOUTH NARCOTIC UNIT AND
72ND PRECINCT, 3:00PM TO 11PM, 3-20-09,

Defendants.
-----X

**MEMORANDUM
DECISION AND ORDER**

11-CV-5586 (BMC)

Pro se plaintiff Santos Rivera filed the above-captioned civil rights complaint in the Southern District of New York on October 31, 2011. The complaint was transferred to this Court on November 16, 2011. By Order entered November 21, 2011, this Court dismissed the complaint for failure to state a claim and granted plaintiff leave to file an amended complaint within 21 days. The Order stated that if plaintiff failed to amend within 21 days, "the Court shall dismiss this complaint pursuant to 28 U.S.C. § 1915A." Plaintiff has not responded to the Court's Order and the time for doing so has passed. Accordingly, the complaint is hereby dismissed without prejudice.

The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal would not be taken in good faith and therefore *in forma pauperis* status is denied for purpose of an appeal. See Coppedge v. United States, 369 U.S. 438, 444-45, 82 S.Ct. 917 (1962).

SO ORDERED.

U.S.D.J.

Dated: Brooklyn, New York
December 20, 2011